

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

Joseph John Kubala
3505 Spruce Street
Royse City, TX 75189
SSN: XXX-XX-6252
Debtor

Case No. 19-40292 btr
Chapter: 13

Erin Colleen Kubala
3505 Spruce Street
Royse City, TX 75189
SSN: XXX-XX-7868
Joint Debtor

**ORDER STRIKING AMENDED DOCUMENTS FOR FAILURE
TO FILE DECLARATIONS FOR ELECTRONIC FILING**

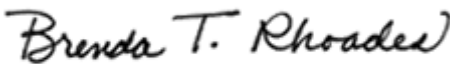
On 10/30/20, the above-referenced Debtors filed by electronic means Amended Schedules I&J. The filing of documents with this Court by electronic means is authorized and governed by administrative procedures contained in LBR Appendix 5005 to the Local Rules of Bankruptcy Procedure. Specifically, Section II(C)(3) of LBR Appendix 5005 requires that:

[w]ithin seven (7) days of the filing by electronic means of a bankruptcy petition, list, schedule, or statement that requires verification under Fed. R. Bankr. P. 1008, the Electronic Filer shall file with the Court in paper format the appropriate "Declaration for Electronic Filing," substantially conforming either to Exhibit "B-1," "B-2," or "B-3," which has been executed by the debtor or by the authorized representative of the debtor.

However, the Debtors failed to fulfill that requirement as to the Amended Schedules I&J filed with the Court. Thus, the amended documents violate Fed. R. Bankr. P. 1008 because they have not been verified under penalty of perjury by the Debtors or contain an unsworn declaration of the Debtors as provided in 28 U.S.C. §1746. Thus, the failure of the Debtors to adhere to the requirements of the Federal and Local Rules of Bankruptcy Procedure constitutes just cause for the entry of the following order.

IT IS THEREFORE ORDERED that the Amended Schedules I&J filed by the Debtors on 10/30/20, is hereby **STRICKEN**.

Signed on 12/03/2020

 SD

HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE